



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

VB

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

HM12/0718

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| APPLICATION NO.       | FILING DATE                                      | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED   |
|-----------------------|--|--------------|-----------------------------|---------------|
| 09/091,538            | 09/16/98   | 007          | BASKAR, P                   | 1645 07/18/00 |
| First Named Applicant | HERMON-TAYLOR, 35 USC 154(b) term ext. = 0 Days. |              |                             |               |

TITLE OF INVENTION POLYNUCLEOTIDES AND POLYPEPTIDES IN PATHOGENIC MYCOBACTERIA  
AND THEIR USE AS DIAGNOSTICS, VACCINES AND TARGETS FOR CHEMOTHERAPY

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE   | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|-----------|----------|
| 1 117-260         | 424-248.100    | P52       | UTILITY     | NO           | \$1210.00 | 10/18/00 |

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

- I. Review the SMALL ENTITY status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
  - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
  - B. If the status is the same, pay the FEE DUE shown above.
- If the SMALL ENTITY is shown as NO:
  - A. Pay FEE DUE shown above, or
  - B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.
- II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give application number and batch number.  
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

PATENT AND TRADEMARK OFFICE COPY

# Notice of Allowability

Application No.

09/091,538

Applicant(s)

TAYLOR ET AL

Examiner

Padma Baskar

Group Art Unit

1645



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to 5/22/00 and 7/14/00

☒ The allowed claim(s) is/are 1, 2, 24, 3, 16, 17 and 13 have been renumbered as 1-7 respectively

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. 12.

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

Art Unit: 1645

**EXAMINER'S AMENDMENT**

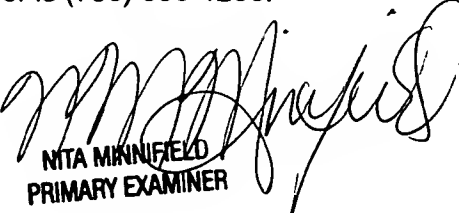
1. Applicant's amendment filed on 5/22/00 is acknowledged. Claims 4-11, 14, 15, 18 and 20-23 have been canceled. New claim 24 has been entered. Claims 1-3, 13, 16, 17 and 24 are pending.
2. In view of applicant's amendments to claims 1-3, 13, 16 and 17, Examiner has withdrawn 112, second paragraph rejections.
3. Claims 1, 2, 24, 3, 16, 17 and 13 are in condition for allowance and have been renumbered as 1-7 respectively.
4. It is noted that the formal drawings are now required and that Applicant should comply with the objections to the drawings as set forth in Form- 948 (Draftsperson's Notice) mailed with Paper No 12. Applicant should make sure that the figure descriptions set forth in the specification match the formal drawings that will be submitted.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Padma Baskar whose telephone number is (703) 308-8886. The examiner can normally be reached on Monday through Friday from 6:30 AM to 4 PM EST

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynette Smith can be reached on (703) 308-3909. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1235.

Padma Baskar Ph.D.

7/12/00

  
NTA MINNIFIELD  
PRIMARY EXAMINER